

det

IAP13 Rec'd PCT/PTO 03 NOV 2006

1.2331 us

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA PCT National Stage Patent Application  
PCT/EP2003/013898 filed December 8, 2003  
Wolfgang Kauss, et al  
Serial No.: 10/538,697  
First Submission Filed: June 10, 2005  
CONTROL DEVICE FOR A WORK DEVICE COMPRISING  
A SCOOP HELD ON AN EXTENSION ARM

-----  
CERTIFICATE OF MAILING ON LAST PAGE  
-----

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
AND SUBMISSION OF SURCHARGE FEES, TRANSLATION, PRELIMINARY  
AMENDMENT, AND SIGNED DECLARATION

In response to the Office Action dated October 20, 2006 copy enclosed, respectfully submitted herewith is the signed and dated Combined Declaration of the inventors (2 pages) in compliance with 37 CFR 1.63 and 37 CFR 1.66 or 37 CFR 1.68 and 37 CFR 1.497(a) and (b), identifying the application by PCT International application no. and international filing date and with power of attorney.

Respectfully presented is also the English translation (30 pages including abstract) which is believed to be an accurate translation of the PCT/EP2003/013898 application as originally filed in the German language. This translation is requested to be used as the copy for examination purposes in the Patent Office along with the simultaneously submitted Preliminary Amendment which deletes the multiple form of all multiple-dependent claims

so multiple- dependent claims do not exist in this application.  
The Preliminary Amendment includes an Abstract on a separate page  
to be entered simultaneously with the filing of all papers and  
the Preliminary Amendment is Requested to be ENTERED before  
calculation of claim filing fees.

Attached is check no. 16584 in the amount of \$260.00 (namely,  
\$130.00 for the processing fee for providing the translation  
later than 30 months from the priority date (37 CFR 1.492(f)),  
and \$130.00 for late but timely filing of the Declaration.

The Commissioner is hereby authorized to charge any additional  
fees which may be required, or credit any over-payment to deposit  
account no. 06-0105.


11/09/2006 ATRAN1 00000065 10538697

01 FC:1617 130.00 DP

11/09/2006 ATRAN1 00000065 10538697

02 FC:1616 130.00 DP


Respectfully submitted,  
Wolfgang Kauss, et al

by:   
MARTIN A. FARBER  
Attorney for Applicants  
Registered Representative  
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Response to Notification  
of Missing Requirements under 35 USC 371 in the United States  
Designated/Elected Office (DO/EO/US), signed Declaration (2  
pages), English Translation (30 pages), Preliminary Amendment,  
and check no. 16584 \$260.00 are being deposited with the United  
States Postal Service as first class mail in an envelope  
addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on November 2, 2006.

Dated: November 2, 2006

  
Martin A. Farber

866 United Nations Plaza  
New York, NY 10017  
(212) 758-2878



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

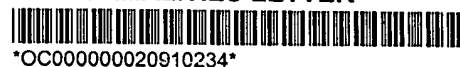
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,697	Wolfgang Kauss	1.2331us

Martin A Farber  
866 United Nations Plaza  
Suite 473  
New York, NY 10017

INTERNATIONAL APPLICATION NO.	
PCT/EP03/13898	
I.A. FILING DATE	PRIORITY DATE
12/08/2003	12/18/2002

CONFIRMATION NO. 6955

371 FORMALITIES LETTER



Date Mailed: 10/20/2006

DUE DECEMBER 20, 2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/10/2005
- Copy of the International Search Report filed on 06/10/2005
- Information Disclosure Statements filed on 06/10/2005
- Oath or Declaration filed on 06/10/2005
- U.S. Basic National Fees filed on 06/10/2005
- Specification filed on 06/10/2005
- Claims filed on 06/10/2005
- Abstracts filed on 06/10/2005
- Drawings filed on 06/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,697	PCT/EP03/13898	1.2331us